

**MINUTES
TENNESSEE BOARD OF DENTISTRY
TELECONFERENCE MEETING**

Date: **JANUARY 14, 2011**

Location: Tennessee Department of Health
227 French Landing, Iris Room
Heritage Place Metro Center
Nashville TN 37243

Members Present by teleconference: Ruth E. Bailey, D.D.S., President
James L. Smith, Vice-President
John M. Douglass, D.D.S., Secretary/Treasurer
Katherine H. Cherry, R.D.H.
Charles E. Holt, Jr., D.D.S.
Betty Gail Fox, R.D.A.
Marlene S. Fullilove, R.D.H.
Lawrence Hsia, D.M.D.
Michael Tabor, D.D.S.

Member Present: Agnes Young, Consumer Member

Staff Present: Paul David, Executive Director
Sue Kerley, Board Administrator
Maryam Kassaei, Office of General Counsel

Paul David, Executive Director, called the meeting to order at 9:05 a.m.

Maryam Kassaei did a roll call to determine the members present and/or connected by teleconference and that each member heard the individual responses. All members were present except Dr. Isaac Fordjour.

The meeting was held to consider a Petition For a Stay of the Initial Order filed in the matter of Paul V. Muscari, D.D.S. pursuant to a contested administrative case originally heard in Morristown, Tennessee, on September 22-23, 2010 before the honorable J. Randall LaFevor, Administrative Law Judge. Determination was made that a quorum was present.

Dr. Bailey made a motion that the Board wished to proceed to conduct this meeting electronically. Second was given by Dr. Holt. Motion carried.

Dr. Douglass made a motion that the matter(s) to be discussed at this meeting follow the requirement to permit electronic participation and finding 1) a determination of

necessity under T.C.A. §8-44- 108 (a) (3), 2) the subject matter requires timely action and the physical presence of all the board members was not possible considering the time period required for the action and 3) participation by some or all of the members of the Board by electronic means is necessary to take the action. Second was given by Dr. Hsia. Motion Carried.

Dr. Bailey made a motion to include the Findings of Necessity in the Minutes of the Board. Second was given by Dr. Holt. Motion Carried.

Ms. Young was given a copy of the documents pertaining to this hearing. The Board members participating electronically received a copy of the documents through facsimile and/or electronic mail, Dr. Douglass made a motion to deny Respondent's request for a stay of the Initial Order. Second was given by Dr. Bailey. Motion Carried.

There being no further business, Dr. Douglass made a motion to adjourn. Second was given by Dr. Holt. Motion Carried. The meeting adjourned at 9:25 a.m.